

# 5

ATTORNEY DOCKET NO. 11114.0001U1  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	)	
	)	
Robert J. Vermillion	)	Group Art Unit: 1774
	)	
Serial No. 09/850,368	)	Examiner: Unassigned
	)	
Filed: May 7, 2001	)	
	)	
For: <b>DISSIPATIVE LAYER SUITABLE FOR</b>	)	
<b>USE IN PROTECTIVE PACKAGING</b>	)	

RESPONSE TO NOTICE OF INCOMPLETE REPLY

BOX MISSING PARTS  
Assistant Commissioner for Patents  
Washington, D.C. 20231

NEEDLE & ROSENBERG, P.C.  
Suite 1200, The Candler Building  
127 Peachtree Street, N.E.  
Atlanta, Georgia 30303-1811

October 29, 2001

Sir:

In response to the August 27, 2001 Notice of Incomplete Reply-Filing Date Granted, enclosed please find a copy of the postcard indicating receipt of *8(eight) pages* of informal drawings in the above-identified application by the Patent Office.

The figures in question, Fig 2C1, 2C11 and 2C111, were **all** located on the fourth (4<sup>th</sup>) sheet of the eight sheets of drawings, between a sheet containing Figure 2C and a sheet containing Fig. 3 and 3C. Accordingly, Applicants submit that the allegedly omitted item was filed with the Patent Office as of the filing date of this application.

Applicants request that this response be considered a Petition under 37 CFR 1.182 and that the requisite fee be charged to Deposit Account No. 14-0629.

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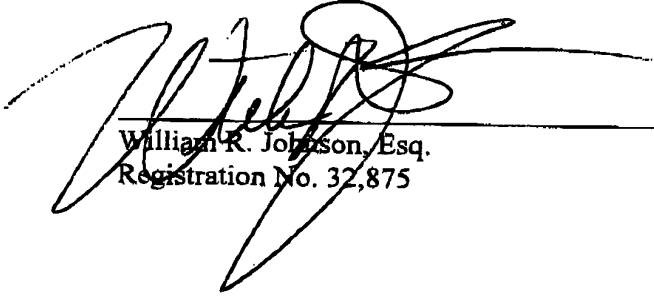
**ATTORNEY DOCKET NO. 11114.0001U1  
SERIAL NO. 09/850,368**

Finally, a copy of the Notice is attached hereto.

The Commissioner is hereby authorized to charge any deficiency or credit any  
overpayment to Deposit Account No. 14-0629.

Respectfully submitted,

NEEDLE & ROSENBERG, P.C.



William R. Johnson, Esq.  
Registration No. 32,875

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I hereby certify that this correspondence is being filed by facsimile to 703-305-9822 on this 29<sup>th</sup> day of October, 2001.



William R. Johnson

10-29-01  
Date

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BOX PATENT APPLICATION  
ASSISTANT COMMISSIONER FOR PATENTS

MAY 18 2001

SIR: PLEASE ACKNOWLEDGE RECEIPT OF THE FOLLOWING NEEDLE & ROSENBERG

(X) Utility patent application, 28 pp. specifications, 5 pages claims,  
8 sheets of informal drawings, 1 p. abstract

(X) Transmittal Cover Sheet

(X) Certificate of Express Mailing dated: May 7, 2001

(X) Check No. 48140 for \$445.00 filing fee

Express Mail No.: EL403201753US

In RE Application of: Robert J. Vermillion

jc997 U.S. PTO

09/850368



05/07/01

TITLE: "DISSIPATIVE LAYER SUITABLE FOR  
USE IN PROTECTIVE PACKAGING"

SERIAL NO.: Unassigned

FILED: May 7, 2001

REF. NO.: 11114.0001U1

(WRJ:bab)

WRJ

DOCKETED	
By: <i>Smw</i>	Date: 5/18/01
Reviewed: _____	Name / Date



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/850,368	05/07/2001	Robert J. Vermillion	11114.0001U1

NEEDLE & ROSENBERG, P.C.  
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AUG 30 2001

NEEDLE &amp; ROSENBERG

CONFIRMATION NO. 2544

FORMALITIES LETTER



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Date Mailed: 08/27/2001

## NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

*Filing Date Granted*

The U.S. Patent and Trademark Office has received your reply on to the Notice mailed and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain **EXTENSIONS OF TIME** under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent **ABANDONMENT** of the above-identified application.

- Figure(s) **2C1**, **2C11** and **C111** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any

omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

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*A copy of this notice MUST be returned with the reply.*

Tequest Woldeyes  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

LAW OFFICES OF  
**NEEDLE & ROSENBERG, P.C.**

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\*NOT ADMITTED IN GEORGIA

October 29, 2001

**IMPORTANT NOTICE**

PLEASE DELIVER THE FOLLOWING MATERIAL AS SOON AS POSSIBLE TO:

NAME: Initial Patent Examination Division

Application: Serial No. 09/850,368

FAX NO.: 703-305-9822

FROM: William R. Johnson

OUR REF. NO.: 11114.0001U1

RETURN FAX NO.: (404) 688-9880

# OF PAGES TRANSMITTED: 6  
(INCLUDING COVER SHEET)

PLEASE NOTIFY US IMMEDIATELY IF NOT RECEIVED PROPERLY.  
THANK YOU.

**CONFIDENTIALITY NOTE**

THE INFORMATION WHICH FOLLOWS AND IS TRANSMITTED HERewith IS ATTORNEY PRIVILEGED, TRADE SECRET AND CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE VIEWING AND USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY REVIEW, USE, COMMUNICATION, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS.

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